

**Wittels  
McInturff  
Palikovic**

October 4, 2024

**Via ECF**

The Honorable Allyne R. Ross  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Mirkin, et al. v. XOOM Energy, LLC, et al., No. 18 Civ. 2949 (ARR) (JAM)**

Dear Judge Ross,

On behalf of Plaintiff Susanna Mirkin and the Class (“Plaintiff”), we write to notify you that the following items were served earlier today via email on defense counsel of record in the above-captioned action:

1. Plaintiff’s Notice of Motion for Reconsideration, dated October 4, 2024;
2. Plaintiff’s Memorandum of Law in Support of Plaintiff’s Motion for Reconsideration of and Relief from the Court’s September 11, 2024 Order (Dkt. No. 267), and Briefing on Why This Case Can Proceed on a Classwide Basis.

Plaintiff intends to file via ECF all of the parties’ papers pursuant to this motion and briefing on November 22, 2024, the date Plaintiff’s reply brief is due, pursuant to Your Honor’s Individual Rule III.A and the Court’s September 23, 2024 Text Order.

Thank you for the Court’s attention to this matter.

Respectfully Submitted

/s/ Ethan D. Roman

Ethan D. Roman

*Class Counsel for Plaintiff and the  
Class*

cc: All Counsel of Record (*via ECF*)